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TO: U.S. Patent & Trademark Office
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FROM: Edward A. Kmett (Reg. No. 42,746)

RE: U.S. Application No. 09/817,300
 Attn: Examiner H. El Chanti
 Group Art Unit 2157
 Atty. Docket No. 03500.015221

FAX NO.: (703) 872-9306

DATE: April 25, 2005 **NO. OF PAGES:** 4
 (including cover page)

TIME: 2:58

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Transmitted herewith is a Request For New Office Action in response to the Office Action dated March 25, 2005.

I hereby certify that this correspondence is being facsimile transmitted to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

April 25, 2005

(Date of Transmission)

Edward A. Kmett (Reg. No. 42,746)

(Name of Attorney for Applicant)

E. A. Kmett Signature

April 25, 2005

Date of Signature

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APR 25 2005

03500.015221

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

MASANORI KAWASHIMA

Application No.: 09/817,300

Filed: March 27, 2001

For: NETWORK MANAGEMENT
METHOD FOR PROVIDING
DEVICE LIST AND
NETWORK MANAGEMENT
DEVICE TO PROVIDE
DEVICE LIST

Examiner: H. El-chanti

Group Art Unit: 2157

April 25, 2005

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450REQUEST FOR NEW OFFICE ACTION

Sir:

This is a request under MPEP § 710.06 for a new Office Action, in substitution of and replacement for the Office Action dated March 25, 2005. As described below, the Office Action fails to address each of the claims as currently pending in the

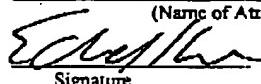
I hereby certify that this correspondence is being facsimile transmitted to:
Commissioner for Patents, P O. Box 1450, Alexandria, VA 22313-1450
On

April 25, 2005

(Date of Transmission)

Edward A. Kmett (Reg. No.: 42,746)

(Name of Attorney for Applicant)


Signature
April 25, 2005
Date of Signature

application and therefore, does not provide Applicant with sufficient information as is needed to determine whether to continue prosecution of the application. See 35 U.S.C. §132.

In more detail, the Office Action Summary indicates that all of Claims 1 to 52 are rejected. However, pages 3 to 6 of the Office Action, which provide a detailed basis for rejection of the claims, utilize language inconsistent with the amendment dated October 1, 2004 when rejecting Claims 1 to 52. Consequently, the specific reasons for the rejection are unclear since they do not address the language of the amended claims. For example, repeated reference is made in the Office Action to an "obtaining step," but this language was amended to a "designated step" in the October 1, 2004 amendment. Accordingly, Applicant fails to understand which portions of the applied references the Office Action is relying upon to reject the claims.

For the foregoing reasons, the Office Action dated March 25, 2005 is believed to be fatally defective in that it does not provide the Applicant with sufficient information to judge the propriety of continuing prosecution, and indeed does not provide enough information to determine the actions that actually have been taken by the USPTO. Therefore, a new Office Action is respectfully requested.

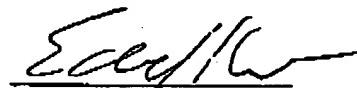
Additionally, inasmuch as this Request is being submitted within one month of the mailing date of the Office Action, it is also respectfully requested that the period for responding to the Office Action be restarted commencing with the mailing date of the new Office Action, or the mailing date of any paper responsive to this paper.

As a formal matter, Applicant notes that the Examiner has not yet provided an indication that the certified copy of the priority document, which was submitted to the Patent Office on June 21, 2001, has been received. Accordingly, the Examiner is requested

to provide such an indication in the new Office Action.

Applicants' undersigned attorney may be reached in our Costa Mesa, California office at (714) 540-8700. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,



Edward A. Kmett
Attorney for Applicant
Registration No. 42,746

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